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Electronically Filed on \_\_\_\_\_

and

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**Attorney for Secured Creditor**

BAC Home Loans Servicing, L.P. fka Countrywide Home Loans Servicing, L.P.  
 09-76395

UNITED STATES BANKRUPTCY COURT  
 DISTRICT OF NEVADA

In re:	<b>BK09-26144-MKN</b>
	Chapter 7
Michael R. Alley, Jr. and Trisha J. Alley	NOTICE OF MOTION FOR RELIEF FROM AUTOMATIC STAY HEARING DATE: 11/4/09 HEARING TIME: 1:30pm
Debtors.	ESTIMATED TIME: 5 Minutes

TO THE HONORABLE MIKE K. NAKAGAWA, THE DEBTORS. THEIR  
 ATTORNEY OF RECORD AND THE CHAPTER 7 TRUSTEE, AND OTHER INTERESTED  
 PARTIES:

PLEASE TAKE NOTICE that on the 4<sup>th</sup> day of November, 2009 at 1:30pm before  
 United States Bankruptcy Judge, the Honorable Mike K. Nakagawa, in Courtroom 2 located at  
 the Foley Federal Building, 300 Las Vegas Boulevard South, Las Vegas, Nevada. BAC Home

Loans Servicing, L.P. fka Countrywide Home Loans Servicing, L.P., it's assignees and/or successors in interest and assigns ("Movant"), will move this Court, pursuant to 11 U.S.C. §362(d), for an order terminating the automatic stay, to allow Movant to proceed with its non-bankruptcy remedies, including, but not limited to foreclosure upon obtaining possession of and selling the subject real property located at 710 Quayside Court, Las Vegas, NV 89178 (the "subject real property").

PLEASE TAKE FURTHER NOTICE that Local Bankruptcy Rule 9014(d)(1) requires that any opposition to the motion must be filed and service completed upon the Movant not more than fifteen (15) days after service of the motion. The opposition must set forth all relevant facts and must contain a legal memorandum. An opposition may be supported by affidavits or declarations that conform to the provisions of this rule.

If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading with the court. You *must* also serve your written response on the person who sent you this notice.

If you do not file a written response with the court, or if you do not serve your written response on the person who sent you this notice, then:

- ☐ The court may *refuse to allow you to speak* at the scheduled hearing; and
- ☐ The court may *rule against you* without formally calling the matter at the hearing

DATED: 10-8-09

**WILDE & ASSOCIATES**

By /S/GREGORY L. WILDE

GREGORY L. WILDE, ESQ.  
Attorney for Secured Creditor  
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11 09-76395

12 **UNITED STATES BANKRUPTCY COURT**

13 **DISTRICT OF NEVADA**

14 In Re:

BK-S-09-26144-MKN

15 Michael R. Alley, Jr. and Trisha J. Alley

Date: 11/4/09

Time: 1:30pm

Chapter 7

17 Debtors.

18 **CERTIFICATE OF SERVICE OF NOTICE AND**

19 **MOTION FOR RELIEF FROM AUTOMATIC STAY**

20 1. On 10-8-09 I served the following document(s):

21 NOTICE AND MOTION FOR RELIEF FROM AUTOMATIC STAY

22 2. I served the above-named document(s) by the following means to the persons as listed below:

23 X a. ECF System

24 Gwynne R. Dumbrigue

25 grdumbrigue@dumbriguclaw.com

26 Attorney for Debtors

William A. Leonard  
biff7tte@mindspring.com  
Trustee

**X b. United States mail, postage fully prepaid:**

Gwynne R. Dumbrigue  
633 S. Fourth Street, Suite 9  
Las Vegas, NV 89101  
Attorney for Debtors

Michael R. Alley, Jr. and Trisha J. Alley  
9511 Rainbow Tudor Way  
Las Vegas, NV 89178  
Debtors

☐ **c. Personal Service** (List persons and addresses. Attach additional paper if necessary)

I personally delivered the document(s) to the persons at these addresses:

☐ 1. For a party represented by an attorney, delivery was made by handing the document(s) to the attorney's office with a clerk or other person in charge, or if no one is charge by leaving the document(s) in a conspicuous place in the office.

N/A

☐ 2. For a party, delivery was made by handing the document(s) to the party or by leaving the document(s) at the person's dwelling house or usual place of abode with someone of suitable age and discretion residing there.

N/A

☐ **d. By direct mail (as opposed to through the ECF System)**

*(List persons and email addresses. Attach additional paper if necessary)*

Based upon the written assignment of the parties to accept service by email or a court order. I caused the document(s) to be sent to the persons at the mail addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

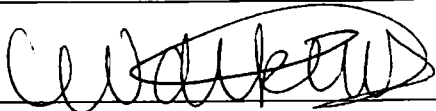
☐ **e. By fax transmission** *(List persons and fax numbers. Attach additional paper if necessary)*

1 Based upon the written assignment of the parties to accept service by fax transmission or  
2 a court order. I faxed the document(s) to the persons at the fax numbers listed below. No error  
3 was reported by the fax machine that I used. A copy of the record of the fax transmission is  
4 attached.  
5

6 ☐ **f. By messenger** *(List persons and addresses. Attach additional paper if necessary)*  
7

8 I served the document(s) by placing them in an envelope or package addressed to the  
9 persons at the addresses listed below and providing them to a messenger for service.  
10 *( A declaration by the messenger must be attached to this Certificate of Service).*  
11

12 I declare under penalty of perjury that the foregoing is true and correct.  
13

14 Signed on : 10-8-09  
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